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PTO/SB/30 (09-03)

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Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/763,957
	Filing Date	June 18, 2001
	First Named Inventor	Jose BOTELLA MESA
	Art Unit	1636
	Examiner Name	Maria MARVICH
	Attorney Docket No.	229752001300

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. ☐ **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ **Enclosed**

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. ☐ **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. ☐ **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **03-1952**

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Jonathan Bockman	Registration No. (Attorney/Agent)	45,640
Signature		Date	July 12, 2004

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VA-72288



Docket No.: 229752001300
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jose BOTELLA MESA, *et al.*

Serial No.: **09/763,957**

Filing Date: **June 18, 2001**

For: **A PLANT PROMOTER AND USES
THEREFOR (As Amended)**

**** SMALL ENTITY ****

Examiner: **Maria MARVICH**

Confirmation No.: **3466**

Group Art Unit: **1636**

Customer No.: **25227**

AMENDMENT UNDER 37 C.F.R. SECTION 1.111

Mail Stop RCE
Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Room 1B03, Crystal Plaza Two
Arlington, VA 22202

Dear Sir:

This amendment responds to the Advisory Action dated March 4, 2004 (Paper No. 204) and the Office Action dated June 17, 2003.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 7 of this paper.